

By Beck

H.B. No. 2572

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of athletic trainers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1, Chapter 498, Acts of the 62nd Legislature, Regular Session, 1971 (Article 4512d, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 1. DEFINITIONS; EXCEPTIONS. (a) In this Act:

(1) "Athletic trainer [~~Trainer~~]" means a person with specific qualifications, as set forth in Section 9 of this Act, who, on [~~upon~~] the advice and consent of a [~~his-team~~] physician or chiropractor:

(A) carries out the practice of prevention and [~~and/or~~] physical rehabilitation of injuries incurred by athletes or patients; and [~~---To---carry---out---these---functions---the---Athletic~~ trainer]

(B) is authorized to use physical modalities [~~such---as---heat,---light,---sound,---cold,---electricity,---or---mechanical~~ devices] related to rehabilitation and treatment of an athlete or patient.

(2) "Board" means the Advisory Board of Athletic Trainers.

(3) "Commissioner" means the commissioner of health.

(4) "Department" means the Texas Department of Health.

(b) Nothing herein shall be construed to authorize the

1 practice of medicine by any person not licensed by the Texas State
2 Board of Medical Examiners.

3 (c) [~~4~~] The provisions of this Act [~~act~~] do not apply to:

4 (1) physicians licensed by the Texas State Board of
5 Medical Examiners;

6 (2) [~~to~~] dentists, duly qualified and registered under
7 the laws of this state, who confine their practice strictly to
8 dentistry;

9 (3) [~~nor--to~~] licensed optometrists, who confine their
10 practice strictly to optometry as defined by statute;

11 (4) [~~nor--to~~] occupational therapists, who confine
12 their practice to occupational therapy;

13 (5) [~~nor-to~~] nurses who practice nursing only;

14 (6) [~~nor---to~~] duly licensed [~~chiropracists---or~~]
15 podiatrists, who confine their practice strictly to [~~chiropracy--or~~]
16 podiatry as defined by statute;

17 (7) [~~nor--to~~] physical therapists who confine their
18 practice to physical therapy;

19 (8) registered massage therapists [~~nor-to-masseurs--or~~
20 ~~masseuses-in-their-particular-sphere-of-labor~~]; or

21 (9) [~~nor--to~~] commissioned or contract physicians or
22 physical therapists or physical therapists assistants in the United
23 States Army, Navy, Air Force, Public Health and Marine Health
24 Service.

25 SECTION 2. Sections 10(a) and (b), Chapter 498, Acts of the
26 62nd Legislature, Regular Session, 1971 (Article 4512d, Vernon's
27 Texas Civil Statutes), are amended to read as follows:

1 (a) An applicant for an athletic trainer license must submit
2 an application to the board on forms prescribed by the board,
3 accompanied by the application fee and [submit] the examination fee
4 set by the board [required-by-this-Act]. In addition to the fees
5 set under Section 7 of this Act, the board by rule may set a
6 reasonable application fee.

7 (b) The applicant is entitled to an athletic trainer license
8 if the applicant [he] possesses the qualifications enumerated in
9 Section 9 of this Act, satisfactorily completes the examination
10 administered by the board, pays the license fee [~~as-set-in--Section~~
11 ~~7--of--this--Act~~], and has not committed an act which constitutes
12 grounds for denial of a license under Section 12 of this Act.

13 SECTION 3. This Act takes effect September 1, 1997, and
14 applies only to an application for a license as an athletic
15 trainer that is filed with the Advisory Board of Athletic Trainers
16 and a license issued or renewed by that board on or after that
17 date. An application filed or a license issued before that date is
18 governed by the law in effect on the date that the application was
19 filed or the license was issued, and the former law is continued in
20 effect for that purpose.

21 SECTION 4. The importance of this legislation and the
22 crowded condition of the calendars in both houses create an
23 emergency and an imperative public necessity that the
24 constitutional rule requiring bills to be read on three several
25 days in each house be suspended, and this rule is hereby suspended.

75TH LEGISLATURE

COAUTHOR AUTHORIZATION

(please request your coauthors to sign this form in lieu of the front or the back of the original bill)

For chief clerk use only

Bill or Resolution Number:

hb 2572

Berlanga
signature of primary author

Berlanga
printed name of primary author

3-6-97
Date

PERMISSION TO SIGN hb 2572
(bill or resolution #)

HAS BEEN GIVEN TO (check only one of the following):

☒ ALL REPRESENTATIVES

☐ THE FOLLOWING REPRESENTATIVE(S):

I authorize the Chief Clerk to include my name as a coauthor of the legislation indicated above:

<u>A2120 Alexander</u>	<u> </u> Date	<u>A2645 Cuellar</u>	<u> </u> Date	<u>A2935 Giddings</u>	<u> </u> Date
<u>A2115 Allen</u>	<u> </u> Date	<u>A2635 Culberson</u>	<u> </u> Date	<u>A2880 Glaze</u>	<u> </u> Date
<u>A2105 Alvarado</u>	<u> </u> Date	<u>A2670 Danburg</u>	<u> </u> Date	<u>A2985 Goodman</u>	<u> </u> Date
<u>A2135 Averitt</u>	<u> </u> Date	<u>A2675 Davila</u>	<u> </u> Date	<u>A2990 Goolsby</u>	<u> </u> Date
<u>A2160 Bailey</u>	<u> </u> Date	<u>A2625 Davis</u>	<u> </u> Date	<u>A3005 Gray</u>	<u> </u> Date
<u>A2200 Berlanga</u>	<u> </u> Date	<u>A2680 Delisi</u>	<u> </u> Date	<u>A3010 Greenberg</u>	<u> </u> Date
<u>A2250 Bonnen</u>	<u> </u> Date	<u>A3385 Denny</u>	<u> </u> Date	<u>A3020 Grusendorf</u>	<u> </u> Date
<u>A2275 Bosse</u>	<u> </u> Date	<u>A2705 Driver</u>	<u> </u> Date	<u>A3030 Gutierrez</u>	<u> </u> Date
<u>A2260 Brimer</u>	<u> </u> Date	<u>A2665 Dukes</u>	<u> </u> Date	<u>A3035 Haggerty</u>	<u> </u> Date
<u>A2255 Burnam</u>	<u> </u> Date	<u>A2660 Dunnam</u>	<u> </u> Date	<u>A2695 Hamric</u>	<u> </u> Date
<u>A2400 Carter</u>	<u> </u> Date	<u>A2650 Dutton</u>	<u> </u> Date	<u>A3170 Hartnett</u>	<u> </u> Date
<u>A2585 Chavez</u>	<u> </u> Date	<u>A2770 Edwards</u>	<u> </u> Date	<u>A3345 Hawley</u>	<u> </u> Date
<u>A2480 Chisum</u>	<u> </u> Date	<u>A2760 Ehrhardt</u>	<u> </u> Date	<u>A3180 Heflin</u>	<u> </u> Date
<u>A2525 Christian</u>	<u> </u> Date	<u>A2775 Eiland</u>	<u> </u> Date	<u>A3230 Hernandez</u>	<u> </u> Date
<u>A2520 Clark</u>	<u> </u> Date	<u>A2785 Elkins</u>	<u> </u> Date	<u>A3240 Hightower</u>	<u> </u> Date
<u>A2435 Coleman</u>	<u> </u> Date	<u>A2810 Farrar</u>	<u> </u> Date	<u>A3310 Hilbert</u>	<u> </u> Date
<u>A2565 Cook</u>	<u> </u> Date	<u>A2830 Finnell</u>	<u> </u> Date	<u>A3250 Hilderbran</u>	<u> </u> Date
<u>A2595 Corte</u>	<u> </u> Date	<u>A2840 Flores</u>	<u> </u> Date	<u>A3275 Hill</u>	<u> </u> Date
<u>A2600 Counts</u>	<u> </u> Date	<u>A2920 Gallego</u>	<u> </u> Date	<u>A3270 Hinojosa</u>	<u> </u> Date
<u>A2605 Crabb</u>	<u> </u> Date	<u>A2910 Galloway</u>	<u> </u> Date	<u>A3285 Hirschi</u>	<u> </u> Date
<u>A2610 Craddick</u>	<u> </u> Date	<u>A2930 Garcia</u>	<u> </u> Date	<u>A3305 Hochberg</u>	<u> </u> Date

For chief clerk use only
Bill or Resolution Number:

hb 2572

A3290 Hodge	Date	A3845 McReynolds	Date	A4435 Shields	Date
A3295 Holzheuser	Date	A3840 Merritt	Date	A4445 Siebert	Date
A3300 Horn	Date	A3850 Moffat	Date	A4525 Smith	Date
A3315 Howard	Date	A3860 Moreno	Date	A4530 Smithee	Date
A3355 Hunter	Date	A3865 Mowery	Date	A4550 Solis	Date
A3360 Hupp	Date	A3885 Naishtat	Date	A4505 Solomons	Date
A3375 Isett	Date	A3895 Nixon	Date	A4515 Staples	Date
A3380 Jackson	Date	A3875 Oakley	Date	A4510 Stiles	Date
A3415 Janek	Date	A3880 Oliveira	Date	A4570 Swinford	Date
A3405 Jones, Delwin	Date	A3886 Olivo	Date	A4585 Talton	Date
A3400 Jones, Jesse	Date	A4010 Palmer	Date	A4605 Telford	Date
A3440 Junell	Date	A4070 Patterson	Date	A4630 Thompson	Date
A3460 Kamel	Date	A4180 Pickett	Date	A4635 Tillery	Date
A3475 Keel	Date	A4185 Pitts	Date	A4640 Torres	Date
A3480 Keffer	Date	A4110 Place	Date	A2730 Turner, Bob	Date
A3465 King	Date	A4190 Price	Date	A4685 Turner, Sylvester	Date
A3485 Krusee	Date	A4200 Puente	Date	A4690 Uher	Date
A3490 Kubiak	Date	A4230 Rabuck	Date	A4720 Van de Putte	Date
A3450 Kuempel	Date	A4210 Ramsay	Date	A4990 Walker	Date
A3510 Laney	Date	A4240 Rangel	Date	A4995 West	Date
A3605 Lewis, Glenn	Date	A4235 Raymond	Date	A5035 Williams	Date
A3600 Lewis, Ron	Date	A4245 Reyna, Arthur	Date	A5010 Williamson	Date
A3615 Longoria	Date	A4236 Reyna, Elvira	Date	A5000 Wilson	Date
A3620 Luna, Vilma	Date	A4260 Rhodes	Date	A5020 Wise	Date
A3715 Madden	Date	A4315 Rodriguez	Date	A5015 Wohlgemuth	Date
A3750 Marchant	Date	A4320 Roman	Date	A4980 Wolens	Date
A2700 Maxey	Date	A4370 Sadler	Date	A5005 Woolley	Date
A3665 McCall	Date	A4420 Seaman	Date	A5025 Yarbrough	Date
A3650 McClendon	Date	A4460 Serna	Date	A5040 Zbranek	Date

H.B. No. 2572

A BILL TO BE ENTITLED
AN ACT

By Bulley

Relating to the regulation of athletic trainers.

MAR 11 1997

Filed with the Chief Clerk

MAR 13 1997

Read first time and referred to Committee on Public Health

Reported favorably (as amended)
(as substituted)

Sent to Committee on (Calendars)
(Local & Consent Calendars)

Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote)
(record vote of yeas, nays, present, not voting)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend)
by a vote of yeas, nays, present, not voting

Read third time (amended); finally passed (failed to pass) by a (non-record vote)
(record vote of yeas, nays, present, not voting)

Engrossed

Sent to Senate

CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

Received from the House

Read and referred to Committee on _____

Reported favorably _____

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)
(yeas, nays)

Read second time, _____, and passed to third reading by (unanimous consent)
(a viva voce vote)
(yeas, nays)

Senate and Constitutional 3 Day Rules suspended by a vote of yeas, nays

Read third time, _____, and passed by (a viva voce vote)
(yeas, nays)

Returned to the House

SECRETARY OF THE SENATE

OTHER SENATE ACTION:

_____ Returned from the Senate (as substituted)
(with amendments)

_____ House concurred in Senate amendments by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House refused to concur in Senate amendments and requested the appointment of a conference committee
by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House conferees appointed: _____, Chair; _____,
_____, _____, _____

_____ Senate granted House request. Senate conferees appointed: _____, Chair;
_____, _____, _____, _____

_____ Conference committee report adopted (rejected) by the House by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ Conference committee report adopted (rejected) by the Senate by a (viva voce vote)
(record vote of _____ yeas, _____ nays)